

**SUPREME COURT MINUTES
WEDNESDAY, JULY 13, 2005
SAN FRANCISCO, CALIFORNIA**

S025519

PEOPLE v. DICKEY (COLIN R.)
Rehearing denied

George, C.J., was absent and did not participate.

S133331

B177986 Second Appellate District,
Division Seven

DEPT OF ALCOHOLIC BEVERAGE CONTROL v.
ALCOHOLIC BEV CONTROL APPEALS BOARD
(QUINTANAR)
Petition for review granted

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, Baxter,
Chin, and Moreno, JJ.

S133378

D043396 Fourth Appellate District,
Division One

CACHO v. BOUDREAU
Petition for review granted

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, Baxter,
Chin, and Moreno, JJ.

S133798

C042839 Third Appellate District

PEOPLE v. NEIDINGER
Petition for review granted

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Baxter, Chin, and
Moreno, JJ.

S133850

C047483 Third Appellate District

PILIMAI v. FARMERS INSURANCE EXCHANGE
Petition for review granted

Request for judicial notice granted.

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, Baxter,
Chin, and Moreno, JJ.

S037006**PEOPLE v. HUGGINS (MICHAEL J.)**
Supplemental briefing ordered

The parties are requested to brief the effect, if any, of *Miller-El v. Dretke* (2005) 545 U.S. ____ [125 S.Ct. 2317], on the issues of this case.

Appellant is directed to file a supplemental opening brief, limited to this question, on or before August 3, 2005. Respondent is directed to file a supplemental brief, also limited to this question, within 20 days of the filing of the supplemental opening brief. Appellant may file a supplemental reply brief, also limited to this question, within 10 days of the supplemental respondent's brief.

George, C.J., was absent and did not participate.

S039632; S121061**PEOPLE v. WILSON (ROBERT)**
Motion to consolidate denied

The "Second Motion to Consolidate Appellate and Habeas Corpus Proceedings," filed on June 21, 2005, is denied.

George, C.J., was absent and did not participate.

S133194A103410 First Appellate District,
S208912 Division Two**PEOPLE v. MORRIS**
Review granted/briefing deferred (rule 29.1)

Respondent's petition for review GRANTED.

Further action in this matter is deferred pending finality of *People v. Black* (2005) 35 Cal.4th 1238 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of this court. Submission of additional briefing pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Appellant's petition for review denied.

George, C.J., was absent and did not participate.
Votes: Werdegarr, A.C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S133470

B171826 Second Appellate District,
Division Eight

PEOPLE v. MENDEZ

Review granted/briefing deferred (rule 29.1)

Respondent's petition for review GRANTED.

Further action in this matter is deferred pending finality of *People v. Black* (2005) 35 Cal.4th 1238 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of this court. Submission of additional briefing pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Appellant's petition for review denied.

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, Baxter,
Chin, and Moreno, JJ.

S133593

B175297 Second Appellate District,
Division Five

PEOPLE v. SMITH

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *Conservatorship of Ben C.*, S126664 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, Baxter,
Chin, and Moreno, JJ.

S133602

B167804 Second Appellate District,
Division Four

PEOPLE v. SALINAS

Review granted/briefing deferred (rule 29.1)

Respondent's petition for review granted.

Further action in this matter is deferred pending finality of *People v. Black* (2005) 35 Cal.4th 1238 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of this court. Submission of additional briefing pursuant to California

Rules of Court, rule 29.1, is deferred pending further order of the court.

Appellant's petition for review denied.

George, C.J., was absent and did not participate.
Votes: Werdegarr, A.C.J., Kennard, Baxter,
Chin, and Moreno, JJ.

S134080

B171636 Second Appellate District,
Division Eight

PEOPLE v. GHANEM

Review granted/briefing deferred (rule 29.1)

Petition for review GRANTED

Further action in this matter is deferred pending finality of *People v. Black* (2005) 35 Cal.4th 1238 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of this court. Submission of additional briefing pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C.J., was absent and did not participate.
Votes: Werdegarr, A.C.J., Kennard, Baxter,
Chin, and Moreno, JJ.

S134444

A103315 First Appellate District,
Division Two

PEOPLE v. HINKLE

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending finality of *People v. Black* (2005) 35 Cal.4th 1238 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of this court. Submission of additional briefing pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C.J., was absent and did not participate.
Votes: Werdegarr, A.C.J., Kennard, Baxter,
Chin, and Moreno, JJ.

S134448

B173224 Second Appellate District,
Division Four

PEOPLE v. HAMILTON

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending finality of *People v. Black* (2005) 35 Cal.4th 1238

(see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of this court. Submission of additional briefing pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S134557

B170749 Second Appellate District,
Division Four

PEOPLE v. ROSAS

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending finality of *People v. Black* (2005) 35 Cal.4th 1238 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of this court. Submission of additional briefing pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S134609

B172130 Second Appellate District,
Division Four

PEOPLE v. WITHERS

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending finality of *People v. Black* (2005) 35 Cal.4th 1238 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of this court. Submission of additional briefing pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, J., Baxter, Chin, and Moreno, JJ.

S134612

A105165 First Appellate District,
Division One

PEOPLE v. IVEY

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending finality of *People v. Black* (2005) 35 Cal.4th 1238

(see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of this court. Submission of additional briefing pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S129316

RUNQUIST (RICHARD G.) ON H.C.
OSC issued, returnable in Superior Court

The Director of the Department of Corrections is ordered to show cause before the Tehama County Superior Court, when the matter is ordered on calendar, why petitioner is not entitled to recalculation of his presentence custody credits, as alleged in Ground 3 of the petition for writ of habeas corpus filed in this court on November 18, 2004, and as conceded by the Attorney General in his informal response filed with this court on June 30, 2005. The return is to be filed on or before August 12, 2005.

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, Chin, and Moreno, JJ.

S133572

H028530 Sixth Appellate District
H023023

MAGNAN (PAUL) ON H.C.
Review granted; transferred to CA 6 to issue OSC

Petition for review GRANTED.
The matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its April 20, 2005 order denying the petition for writ of habeas corpus and to issue an order to show cause, returnable before the Santa Clara County Superior Court. The Director of the Department of Corrections is ordered to show cause before the Santa Clara County Superior Court, when the matter is ordered on calendar, why petitioner is not entitled to relief based on ineffective assistance of trial counsel

for failing to investigate and present evidence that the \$300 found on petitioner's person had been sent to him by wire transfer, as alleged in Ground II.D. of the petition for writ of habeas corpus filed in the Court of Appeal on April 26, 2005. The return is to be filed on or before August 12, 2005.

George, C.J., was absent and did not participate.
Votes: Werdegarr, A.C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S134702

E038165 Fourth Appellate District,
Division Two

VERDIN v. S.C. (PEOPLE)

Review granted; transferred to CA 4/2 to issue alt. writ

Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its order denying mandate/prohibition and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar. Pending further order of the Court of Appeal, the superior court's order compelling petitioner to submit to a mental examination in *People v. Jose De Jesus Verdin*, Riverside County Superior Court No. BAF-003065, is hereby stayed.

George, C.J., was absent and did not participate.
Votes: Werdegarr, A.C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S123583

F042866 Fifth Appellate District

WINBERG v. SALOMON SMITH BARNEY

Dismissed per rule 29.3(b), and remanded to CA 5

In light of the decision in *Jevne v. Superior Court*, 35 Cal.4th 935, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

George, C.J., and Baxter, J., were recused and did not participate.
Votes: Werdegarr, A.C.J., Kennard, Chin, and Moreno, JJ.

S126908

G031925 Fourth Appellate District,
Division Three

ROSENDALE, MARRIAGE OF

Dismissed per rule 29.3(b), and remanded to CA 4/3

Appellant's motion for sanctions denied.
In light of Family Code section 4 and section 1612, subdivision (c), review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

George, C.J., was absent and did not participate.
Votes: Werdegar, A.C.J., Kennard, Baxter, Chin, and Moreno, JJ.

S128934

A104817 First Appellate District,
A106306 Division One

MARCUS v. TRAUTMAN

Dismissed per rule 29.3(b), and remanded to CA 1/1

In light of the decision in *Jevne v. Superior Court*, 35 Cal.4th 935, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

George, C.J., and Baxter, J., were recused and did not participate.
Votes: Werdegar, A.C.J., Kennard, Chin, and Moreno, JJ.

S121789**STATEN (DEONDRE ARTHUR) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus filed on January 8, 2004 is denied.

Claims 1 and 4 are barred because they were raised and rejected in the automatic appeal. (*In re Harris* (1993) 5 Cal.4th 813, 829; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

Claims 2, 5, and 6 are barred because they could have been raised on direct appeal, but were not. (*In re Clark* (1993) 5 Cal.4th 750, 765; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

Each claim and subclaim is denied on the ground that it is successive: it could have been, but was not, raised on habeas corpus previously. (*In re Robbins* (1998) 18 Cal.4th 770, 788, fn. 9;

In re Clark (1993) 5 Cal.4th 750, 767-768; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547.)

Each claim and subclaim is barred as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 780-781; *In re Clark* (1993) 5 Cal.4th 750, 763-799.)

Each claim and subclaim is denied on the merits for failure to state a prima facie case for relief.

George, C.J., was absent and did not participate.

S132507

B170806 Second Appellate District,
Division Four

PEOPLE v. BOULDEN

Petitions for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S132986

B162631 Second Appellate District,
Division Three

PEOPLE v. DEVAULT

Petitions for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S133121

A108566 First Appellate District,
Division One

SCHOENFELD (RICHARD) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S133181

C045489 Third Appellate District

PEOPLE v. KNOWLES

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S133251

B181830 Second Appellate District,
Division Three

HENDERSON (CARL) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S133289

B175356 Second Appellate District,
Division Five

PEOPLE v. KNOWLES

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S133295

A102291 First Appellate District,
A102824 Division One

PEOPLE v. WRIGHT

Petitions for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S133339
C049403 Third Appellate District

SCHINKEL (LARRY) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S133351
C046938 Third Appellate District

DUPRE, MARRIAGE OF
Petition for review denied

George, C.J., was absent and did not participate.

S133354
B180285 Second Appellate District,
Division Five

GREENLIGHT FILM & TELEVISION v. S.C.
(COMERICA BANK)
Petition for review denied

George, C.J., was absent and did not participate.

S133360
C046394 Third Appellate District

PEOPLE v. JORDAN
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Kennard, J., is of the opinion the petition should be granted.

George, C.J., was absent and did not participate.

S133387
E037836 Fourth Appellate District,
Division Two

HAMILTON (PAUL) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S133401
B175335 Second Appellate District,
Division Four

PEOPLE v. TAVE
Petition for review denied

George, C.J., was absent and did not participate.

S133421

A109756 First Appellate District,
Division Four

BEASLEY (WILLIE R.) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S133466

A103542 First Appellate District,
Division Four

PEOPLE v. ROUGEAU
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S133479

F046914 Fifth Appellate District

LEON (CELSO) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S133496

A107291 First Appellate District,
Division Three

PEOPLE v. MITCHELL
Petition for review & depublication request denied

Kennard, J., is of the opinion the petition should be granted.
George, C.J., was absent and did not participate.

S133506

B169749 Second Appellate District,
Division Five

PEOPLE v. CHAN
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Kennard, J., is of the opinion the petition should be granted.
George, C.J., was absent and did not participate.

S133571

B171970 Second Appellate District,
B172462 Division Two
B173752

CHO v. CHONG

Petition for review denied

George, C.J., was absent and did not participate.

S133579

B177035 Second Appellate District,
Division One

PEOPLE v. PLASCENCIA

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S133663

B174704 Second Appellate District,
Division Four

PEOPLE v. HYPOLITE

Petition for review denied

George, C.J., was absent and did not participate.

S133679

B180946 Second Appellate District,
Division Four

SHAHMOHAMADIAN (ARYA) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S133704

A102803 First Appellate District,
Division Three

THIRD EYE BLIND INC. v. NEAR NORTH**ENTERTAINMENT INSURANCE SERVICES**

Petitions for review & depublication requests denied

George, C.J., was absent and did not participate.

S133712

A105759 First Appellate District,
Division Four

PEOPLE v. BLASHER

Petition for review denied

George, C.J., was absent and did not participate.

S133731

D046168 Fourth Appellate District,
Division One

SEY (SAVORN) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S133737
C043287 Third Appellate District

PEOPLE v. HER
Petition for review denied

George, C.J., was absent and did not participate.

S133739
C049538 Third Appellate District

CHAPMAN (RICHARD) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S133790
B173934 Second Appellate District,
Division Seven

PEOPLE v. GATES
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S133804
B171921 Second Appellate District,
Division Eight

GREEN v. WCAB (CITY OF COMPTON)
Petition for review denied

George, C.J., was absent and did not participate.

S133882
F047597 Fifth Appellate District

SUTTON (ADAM) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S133894
B159733 Second Appellate District,
Division Four

MILEIKOWSKI v. TENET HEALTHSYSTEM
Petition for review & depublication request denied

George, C.J., was absent and did not participate.

S133918
C047124 Third Appellate District

KAISER FOUNDATION HOSPITALS v. S.C.
(DENNIS-JOHNSON)
Petition for review denied

Werdegarr, A.C.J., was recused and did not participate.
George, C.J., was absent and did not participate.

S133923
G033152 Fourth Appellate District,
Division Three

PEOPLE v. CERON
Petitions for review denied

George, C.J., was absent and did not participate.

S133934
F044948 Fifth Appellate District

WHITE v. CA 5 (PEOPLE)
Petition for writ of mandate/prohibition denied

George, C.J., was absent and did not participate.

S133939
B172738 Second Appellate District,
Division Four

LEIGHT v. SCHWARTZ
Petition for review denied

George, C.J., was recused and did not participate.

S133946
C048862 Third Appellate District

DEPARTMENT OF CORRECTIONS v. WCAB
Petition for review denied

George, C.J., was absent and did not participate.

S133947
D046205 Fourth Appellate District,
Division One

HAGGERTY (CLEVELAND MAJOR) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S133948
A105772 First Appellate District,
Division Five

PEOPLE v. HAGOOD
Petition for review denied

George, C.J., was absent and did not participate.

S133958

A104903 First Appellate District,
Division Five

HAYWARD AREA PLANNING ASSN v. CITY OF
HAYWARD (HAYWARD 1900, INC.)

Petition for review denied

Kennard, J., is of the opinion the petition should
be granted.

George, C.J., was absent and did not participate.

S133964

D043402 Fourth Appellate District,
Division One

CHAPMAN v. TRUSTEES OF CALIF STATE UNIV.

Petition for review denied

George, C.J., was absent and did not participate.

S133974

B174624 Second Appellate District,
Division Five

PEOPLE v. BATTS

Petition for review denied

denied without prejudice to any relief to which
defendant might be entitled upon finality of
People v. Black (2005) 35 Cal.4th 1238 regarding
the effect of *Blakely v. Washington* (2004) 542
U.S. ___, 124 S.Ct. 2531, and *United States v.*
Booker (2005) 543 U.S. ___, 125 S.Ct. 738, on
California law.

George, C.J., was absent and did not participate.

S133975

C046035 Third Appellate District

PEOPLE v. MASSEY

Petition for review denied

George, C.J., was absent and did not participate.

S133980

B173801 Second Appellate District,
Division Five

PEOPLE v. COLLINS

Petition for review denied

denied without prejudice to any relief to which
defendant might be entitled upon finality of
People v. Black (2005) 35 Cal.4th 1238 regarding
the effect of *Blakely v. Washington* (2004) 542
U.S. ___, 124 S.Ct. 2531, and *United States v.*
Booker (2005) 543 U.S. ___, 125 S.Ct. 738, on
California law.

George, C.J., was absent and did not participate.

S133993

G035110 Fourth Appellate District,
Division Three

PEOPLE v. NGO

Petition for review denied

George, C.J., was absent and did not participate.

S134002

B173333 Second Appellate District,
Division Two

PEOPLE v. SERNA

Petition for review denied

George, C.J., was absent and did not participate.

S134008

D042936 Fourth Appellate District,
Division One

CHAPMAN v. TRUSTEES OF THE CALIFORNIA
STATE UNIVERSITY

Petition for review denied

George, C.J., was absent and did not participate.

S134009

B181075 Second Appellate District,
Division Six

STACKHOUSE v. WCAB (RIFOCS CORPORATION)

Petition for review denied

George, C.J., was absent and did not participate.

S134011

A104106 First Appellate District,
Division Four

PEOPLE v. RUSSELL

Petition for review denied

George, C.J., was absent and did not participate.

S134017

D044976 Fourth Appellate District,
Division One

WRIGHT (ROBERT) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S134019

B167415 Second Appellate District,
Division Six

PEOPLE v. SANTANA

Petition for review denied

George, C.J., was absent and did not participate.

S134027

D042552 Fourth Appellate District,
Division One

PEOPLE v. ORTIZ

Petition for review denied

George, C.J., was absent and did not participate.

S134033

F044877 Fifth Appellate District

PEOPLE v. MOORE

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134047

C043152 Third Appellate District

PEOPLE v. SUMAHIT

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

George, C.J., was absent and did not participate.

S134071

B182878 Second Appellate District,
Division Seven

MILLER v. S.C. (PEOPLE)

Petition for review denied

George, C.J., was absent and did not participate.

S134079

A104813 First Appellate District,
Division Two

D. (SEAN), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S134081

F047682 Fifth Appellate District

PEOPLE v. YEARGIN

Petition for review denied

Baxter, J., was recused and did not participate.

George, C.J., was absent and did not participate.

S134082

H027968 Sixth Appellate District

W. (MAXWELL), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S134104

C046241 Third Appellate District

PEOPLE v. HUGO

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134117

H026679 Sixth Appellate District

PEOPLE v. GALVAN

Petition for review denied

George, C.J., was absent and did not participate.

S134123

A109517 First Appellate District,
Division Two

WASHINGTON (ROBERT) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S134125

C046228 Third Appellate District

PEOPLE v. GEORGE

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134143

A105912 First Appellate District,
Division Five

PEOPLE v. WALKER

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S.

___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134145

D043656 Fourth Appellate District,
Division One

PEOPLE v. COLUMNA
Petition for review denied

George, C.J., was absent and did not participate.

S134149

F047679 Fifth Appellate District

PEOPLE v. MANNING
Petition for review denied

Baxter, J., was recused and did not participate.
George, C.J., was absent and did not participate.

S134159

A106360 First Appellate District,
Division Four

PEOPLE v. MCCOVEY
Petition for review denied

George, C.J., was absent and did not participate.

S134168

B169212 Second Appellate District,
B173004 Division Eight

PEOPLE v. GONZALEZ
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134171

B163118 Second Appellate District,
B165374 Division Three
B169517

ACOSTA v. GLENFED DEVELOPMENT
Petition for review & depublication requests denied

Baxter, J., is of the opinion the petition should be granted.
George, C.J., was absent and did not participate.

S134187
F046475 Fifth Appellate District

F. (C.), IN RE
Petition for review denied

George, C.J., was absent and did not participate.

S134197
B175349 Second Appellate District,
Division Two

PEOPLE v. ALCANTAR
Petitions for review denied

George, C.J., was absent and did not participate.

S134219
A109873 First Appellate District,
Division Four

MODESTO REDEVELOPMENT AGENCY v. S.C.
Petition for review denied

Chin, J., was recused and did not participate.
George, C.J., was absent and did not participate.

S134234
F044727 Fifth Appellate District

PEOPLE v. THAMMAVONG
Petition for review denied

George, C.J., was absent and did not participate.

S134235
G035497 Fourth Appellate District,
Division Three

JAFFER v. S.C. (WOMENS TRANSITIONAL
LIVING CENTER)
Petition for review denied

George, C.J., was absent and did not participate.

S134236

VOTERSINJUREDATWORK.ORG v. DIVISION OF
WORKERS' COMPENSATION
Petition for writ of mandate/prohibition denied

Petitioners' request for judicial notice is granted
as to documents labeled C through G.
Petition for writ of mandate is DENIED.

George, C.J., was absent and did not participate.

S134242
A101744 First Appellate District,
Division Three

PEOPLE v. COURTOIS
Petition for review denied

denied without prejudice to any relief to which
defendant might be entitled upon finality of
People

v. Black (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134248

B171406 Second Appellate District,
Division Seven

RIVERA FINANCE INC. v. ACRES

Petition for review denied

George, C.J., was absent and did not participate.

S134250

H028020 Sixth Appellate District

S. (KEITH), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S134252

A103222 First Appellate District,
Division One

PEOPLE v. STROMAN

Petition for review denied

George, C.J., was absent and did not participate.

S134254

B169865 Second Appellate District,
Division Seven

HEGGNES v. MULLIN

Petition for review denied

George, C.J., was absent and did not participate.

S134260

B177690 Second Appellate District,
Division Eight

PEOPLE v. CASILAS

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134267

B173588 Second Appellate District,
Division Three

PEOPLE v. REESE

Petitions for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134272

F046110 Fifth Appellate District

PEOPLE v. WILKIN

Petition for review denied

George, C.J., was absent and did not participate.

S134273

A103898 First Appellate District,
Division Four

PEOPLE v. SIMON

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134274

F045785 Fifth Appellate District

F. (LEE), IN RE

Petition for review denied

Baxter, J., was recused and did not participate.
George, C.J., was absent and did not participate.

S134276

G033295 Fourth Appellate District,
Division Three

PEOPLE v. CURTIS

Petition for review denied

George, C.J., was absent and did not participate.

S134277

A103989 First Appellate District,
Division Five

TENDER LOVING THINGS INC. v. ROBBINS

Petition for review denied

George, C.J., was absent and did not participate.

S134280

F044156 Fifth Appellate District

PEOPLE v. MADRIGAL

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134283

B172701 Second Appellate District,
Division One

S. (BRYAN), IN RE

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Cage*, S127373.

George, C.J., was absent and did not participate.

S134291

H027268 Sixth Appellate District

PEOPLE v. BUI

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134302

A104598 First Appellate District,
Division Two

RUSHFORD v. KAISER FOUNDATION HOSPITALS
Petition for review denied

Werdegar, A.C.J., was recused and did not
participate.
George, C.J., was absent and did not participate.

S134303

G032933 Fourth Appellate District,
Division Three

PEOPLE v. YANCY
Petition for review denied

George, C.J., was absent and did not participate.

S134305

A106898 First Appellate District,
Division Two

PEOPLE v. WHITMIRE
Petition for review denied

denied without prejudice to any relief to which
defendant might be entitled upon finality of
People v. Black (2005) 35 Cal.4th 1238 regarding
the effect of *Blakely v. Washington* (2004) 542
U.S. ___, 124 S.Ct. 2531, and *United States v.*
Booker (2005) 543 U.S. ___, 125 S.Ct. 738, on
California law.

George, C.J., was absent and did not participate.

S134306

H027181 Sixth Appellate District

PEOPLE v. DICKENS
Petition for review denied

denied without prejudice to any relief to which
defendant might be entitled upon finality of
People v. Black (2005) 35 Cal.4th 1238 regarding
the effect of *Blakely v. Washington* (2004) 542
U.S. ___, 124 S.Ct. 2531, and *United States v.*
Booker (2005) 543 U.S. ___, 125 S.Ct. 738, on
California law.

George, C.J., was absent and did not participate.

S134307

H027350 Sixth Appellate District

PEOPLE v. BENNETT
Petition for review denied

George, C.J., was absent and did not participate.

S134308

A105496 First Appellate District,
Division Three

PEOPLE v. HENDRICKSON

Petition for review denied

George, C.J., was absent and did not participate.

S134309

D043913 Fourth Appellate District,
Division One

PEOPLE v. CURRY

Petition for review denied

George, C.J., was absent and did not participate.

S134313

H027535 Sixth Appellate District

PEOPLE v. BRADLEY

Petition for review denied

George, C.J., was absent and did not participate.

S134314

E035825 Fourth Appellate District,
Division Two

R. (J.), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S134315

B180047 Second Appellate District,
Division Three

REGENTS OF THE UNIVERSITY OF CALIFORNIA
v. WCAB; REWALD.

Petition for review denied

George, C.J., was absent and did not participate.

S134322

C044645 Third Appellate District

PEOPLE v. RHYMES

Petition for review denied

George, C.J., was absent and did not participate.

S134327

A110156 First Appellate District,
Division Five

MOORE v. S.C. (PEOPLE)

Petition for review denied

George, C.J., was absent and did not participate.

S134329

B173359 Second Appellate District,
Division One

PEOPLE v. FARGRAS

Petition for review denied

denied without prejudice to any relief to which

defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134337

F046473 Fifth Appellate District

F. (C), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S134346

C044728 Third Appellate District

PEOPLE v. COFFMAN

Petition for review denied

George, C.J., was absent and did not participate.

S134351

B173147 Second Appellate District,
Division Six

PEOPLE v. MOODY

Petition for review denied

George, C.J., was absent and did not participate.

S134353

C047495 Third Appellate District

PEOPLE v. BUCKLEY

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134360

E036362 Fourth Appellate District,
Division Two

PEOPLE v. MORGAN

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People*

v. Black (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134361

H026700 Sixth Appellate District

PEOPLE v. JOHN

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134364

B167488 Second Appellate District,
Division One

PEOPLE v. POWELL

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134366

F044079 Fifth Appellate District

TODD v. INSURANCE CORP OF NEW YORK

Petition for review denied

George, C.J., was absent and did not participate.

S134367

C046062 Third Appellate District

PEOPLE v. TINKER

Petition for review denied

denied without prejudice to any relief to which

defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134371

G032882 Fourth Appellate District,
Division Three

PEOPLE v. GOODWIN

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134374

D043652 Fourth Appellate District,
Division One

PEOPLE v. SNIPES

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134376

B171442 Second Appellate District,
Division Four

PEOPLE v. JONES

Petition for review denied

George, C.J., was absent and did not participate.

S134379

F044583 Fifth Appellate District

PEOPLE v. HOAG

Petition for review denied

denied without prejudice to any relief to which

defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134380

C046961 Third Appellate District

PEOPLE v. KENYON

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134383

D043572 Fourth Appellate District,
Division One

PEOPLE v. VILLA

Petition for review denied

George, C.J., was absent and did not participate.

S134384

B173702 Second Appellate District,
Division Two

PEOPLE v. COOPER

Petition for review denied

George, C.J., was absent and did not participate.

S134385

F043751 Fifth Appellate District

PEOPLE v. DAVID E.

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134388

B175007 Second Appellate District,
Division Eight

PEOPLE v. SANCHEZ

Petition for review denied

George, C.J., was absent and did not participate.

S134392

C043678 Third Appellate District

PEOPLE v. PRICE

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134399

B174171 Second Appellate District,
Division Six

D. (JOSEPH), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S134400

B177422 Second Appellate District,
Division Five

PEOPLE v. RUBIO

Petition for review denied

George, C.J., was absent and did not participate.

S134405

H027745 Sixth Appellate District

PEOPLE v. VALADAO

Petition for review denied

George, C.J., was absent and did not participate.

S134409

A101437 First Appellate District,
Division Four

MILES v. SIERRA CLUB

Petition for review denied

George, C.J., was recused and did not participate.

S134410

B175103 Second Appellate District,
Division Six

PEOPLE v. WRIGHT

Petition for review denied

George, C.J., was absent and did not participate.

S134417

B173286 Second Appellate District,
Division One

KELLER v. ARMSTRONG GARDEN CENTERS
Petition for review & publication request denied

George, C.J., was absent and did not participate.

S134420

D044831 Fourth Appellate District,
Division One

PEOPLE v. HAYGOOD
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134421

B176760 Second Appellate District,
Division Seven

PEOPLE v. JOHNSON
Petition for review denied

George, C.J., was absent and did not participate.

S134422

H027465 Sixth Appellate District

PEOPLE v. MCGRATH
Petition for review denied

George, C.J., was absent and did not participate.

S134425

F043899 Fifth Appellate District

PEOPLE v. BRISENO
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134430

H027586 Sixth Appellate District

PEOPLE v. HYATT

Petition for review denied

George, C.J., was absent and did not participate.

S134441

A106558 First Appellate District,
Division One

PEOPLE v. BRAMBILA

Petition for review denied

George, C.J., was absent and did not participate.

S134451

C045913 Third Appellate District

PEOPLE v. BECK

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134455

H026979 Sixth Appellate District

PEOPLE v. POYE

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134456

B174814 Second Appellate District,
Division One

WESTERN GENERAL INSURANCE CO. v. ENCINO
EXECUTIVE PLAZA LTD.

Petition for review denied

George, C.J., was absent and did not participate.

S134460

G034378 Fourth Appellate District,
Division Three

C. (ELIAS), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S134468

B175898 Second Appellate District,
Division One

PEOPLE v. PATTERSON

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134469

D043770 Fourth Appellate District,
Division One

PEOPLE v. GARRISON

Petition for review denied

George, C.J., was absent and did not participate.

S134471

C046650 Third Appellate District

PEOPLE v. PIPKINS

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134472

B176781 Second Appellate District,
Division Five

PEOPLE v. VILLELA

Petition for review denied

George, C.J., was absent and did not participate.

S134474

D044247 Fourth Appellate District,
Division One

PEOPLE v. VENTURA

Petition for review denied

George, C.J., was absent and did not participate.

S134478

A105114 First Appellate District,
Division Five

PEOPLE v. WILLIAMS

Petition for review denied

George, C.J., was absent and did not participate.

S134482

B173345 Second Appellate District,
Division One

PEOPLE v. DORSEY

Petition for review denied

George, C.J., was absent and did not participate.

S134493

A105927 First Appellate District,
Division Three

PEOPLE v. DELGADO

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134496

A101409 First Appellate District,
A102379 Division Three

QUINN v. MCCOY

Petition for review denied

George, C.J., was absent and did not participate.

S134499

C048454 Third Appellate District

V. (MANUEL), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S134504

F044693 Fifth Appellate District

PEOPLE v. ESPINOZA

Petition for review denied

George, C.J., was absent and did not participate.

S134508

A102886 First Appellate District,
Division Three

PEOPLE v. ESPINOSA

Petition for review denied

George, C.J., was absent and did not participate.

S134520

H026931 Sixth Appellate District

PEOPLE v. PROTHRO

Petition for review denied

George, C.J., was absent and did not participate.

S134522

C046343 Third Appellate District

PEOPLE v. MEEDER

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134529

E035788 Fourth Appellate District,
Division Two

PEOPLE v. LEE

Petition for review denied

George, C.J., was absent and did not participate.

S134532

H027367 Sixth Appellate District

PEOPLE v. CRUZ

Petition for review denied

George, C.J., was absent and did not participate.

S134535

C047658 Third Appellate District

SMALLEY v. BATY

Petition for review denied

George, C.J., was absent and did not participate.

S134540

B173764 Second Appellate District,
Division Two

PEOPLE v. HICKS

Petition for review denied

George, C.J., was absent and did not participate.

S134542

B165868 Second Appellate District,
Division Four

SABO v. HENNELLY & GROSSFELD

Petition for review denied

George, C.J., was absent and did not participate.

S134549

G032969 Fourth Appellate District,
Division Three

PEOPLE v. STRAHLE

Petition for review denied

George, C.J., was absent and did not participate.

S134551

C047193 Third Appellate District

VISION SERVICE PLAN v. DEPARTMENT OF
MANAGED HEALTH CARE

Petition for review denied

George, C.J., was absent and did not participate.

S134553

C047284 Third Appellate District
C047454

C. (EMILIANO), IN RE

Petitions for review denied

George, C.J., was absent and did not participate.

S134554

G032548 Fourth Appellate District,
Division Three

PEOPLE v. ANDERSSON

Petition for review denied

George, C.J., was absent and did not participate.

S134555

C047863 Third Appellate District

PEOPLE v. BELL

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134563

B175586 Second Appellate District,
Division One

PEOPLE v. STEPHENSON

Petition for review denied

George, C.J., was absent and did not participate.

S134568

F044959 Fifth Appellate District

PEOPLE v. PATE

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134569

B174600 Second Appellate District,
Division One

PEOPLE v. CALDERO

Petition for review denied

George, C.J., was absent and did not participate.

S134570

F045895 Fifth Appellate District

O. (WILLIAM), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S134574

B173395 Second Appellate District,
Division Six

PEOPLE v. ALDAPE

Petition for review denied

George, C.J., was absent and did not participate.

S134575

B177884 Second Appellate District,
Division Six

PEOPLE v. ROGERS

Petition for review denied

George, C.J., was absent and did not participate.

S134576

B174955 Second Appellate District,
Division Six

OLIVER v. LEARY

Petition for review denied

George, C.J., was absent and did not participate.

S134582

B172145 Second Appellate District,
Division Six

PEOPLE v. ALFARO

Petition for review denied

denied without prejudice to any relief to which

defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134583

H027188 Sixth Appellate District

PEOPLE v. DEMICHELE

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134584

C045680 Third Appellate District

PEOPLE v. WILLIAMS

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134587

E035972 Fourth Appellate District,
Division Two

PEOPLE v. FRAZIER

Petition for review denied

George, C.J., was absent and did not participate.

S134588

C046038 Third Appellate District

PEOPLE v. FRIES

Petition for review denied

George, C.J., was absent and did not participate.

S134589

B174907 Second Appellate District,
Division Five

PEOPLE v. HAILEY

Petition for review denied

George, C.J., was absent and did not participate.

S134591

B167471 Second Appellate District,
Division Six

PEOPLE v. CID

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134593

A105999 First Appellate District,
Division One

PEOPLE v. MONTONEN

Petition for review denied

George, C.J., was absent and did not participate.

S134594

B172771 Second Appellate District,
Division Two

PEOPLE v. STOVALL

Petition for review denied

George, C.J., was absent and did not participate.

S134596

F043977 Fifth Appellate District

PEOPLE v. ROBBINS

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134598
H027700 Sixth Appellate District

M. (JAMES), IN RE
Petition for review denied

George, C.J., was recused and did not participate.

S134599
C045215 Third Appellate District

SINGH v. VINTAGE ESTATES
Petition for review denied

George, C.J., was absent and did not participate.

S134600
B179536 Second Appellate District,
Division Five

PEOPLE v. FALCON
Petition for review denied

George, C.J., was absent and did not participate.

S134601
B174580 Second Appellate District,
Division Six

PEOPLE v. DAVIS
Petition for review denied

George, C.J., was absent and did not participate.

S134603
F046581 Fifth Appellate District

A. (R.), IN RE
Petition for review denied

George, C.J., was absent and did not participate.

S134606
B177127 Second Appellate District,
Division Three

PEOPLE v. GORMAN
Petition for review denied

George, C.J., was absent and did not participate.

S134607
D043616 Fourth Appellate District,
Division One

PEOPLE v. DEGRACIA
Petition for review denied

George, C.J., was absent and did not participate.

S134613
H027987 Sixth Appellate District

P. (KASHIF), IN RE
Petition for review denied

George, C.J., was absent and did not participate.

S134615

B177650 Second Appellate District,
Division One

CADLE COMPANY II, INC. v. S.C. (SHARMA)
Petition for review denied

George, C.J., was absent and did not participate.

S134617

C046753 Third Appellate District

PEOPLE v. SLOVER
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134633

B177341 Second Appellate District,
Division Five

PEOPLE v. PHILLIPS
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134637

A101890 First Appellate District,
Division One

PEOPLE v. ABUSAFIEH
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134638

D044145 Fourth Appellate District,
Division One

PEOPLE v. CRUZ

Petition for review denied

George, C.J., was absent and did not participate.

S134648

B175869 Second Appellate District,
Division Five

PEOPLE v. REYES

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134655

F043637 Fifth Appellate District

PEOPLE v. AGUILAR

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

George, C.J., was absent and did not participate.

S134672

G034221 Fourth Appellate District,
Division Three

PEOPLE v. ORTIZ

Petition for review denied

George, C.J., was absent and did not participate.

S134681

F044935 Fifth Appellate District

PEOPLE v. MERAZ

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled upon finality of *People v. Black* (2005) 35 Cal.4th 1238 regarding the effect of *Blakely v. Washington* (2004) 542 U.S.

___, 124 S.Ct. 2531, and *United States v. Booker* (2005) 543 U.S. ___, 125 S.Ct. 738, on California law.

Baxter, J., was recused and did not participate.
George, C.J., was absent and did not participate.

S134685

D043072 Fourth Appellate District,
Division One

PEOPLE v. HUTTO

Petition for review denied

George, C.J., was absent and did not participate.

S134687

G033493 Fourth Appellate District,
Division Three

GILL v. SANTA ANA UNIFIED SCHOOL DISTRICT

Petition for review denied

George, C.J., was absent and did not participate.

S134693

C047482 Third Appellate District

PEOPLE v. MCDERMITT

Petition for review denied

George, C.J., was absent and did not participate.

S134736

F045677 Fifth Appellate District

AZADOZY v. NIKOGHOSIAN

Petition for review denied

Baxter, J., was recused and did not participate.
George, C.J., was absent and did not participate.

S134838

WASHINGTON v. SUPREME COURT OF CALIF

Petition for writ of mandate/prohibition denied

George, C.J., was absent and did not participate.

S134927

GARRIGUES v. CA 1 (PEOPLE)

Petition for writ of mandate/prohibition denied

George, C.J., was absent and did not participate.

S135206

E037894 Fourth Appellate District,
Division Two

VIDALES v. S.C. (COUNTY OF RIVERSIDE)

Petition for review and application for stay denied

George, C.J., was absent and did not participate.

S135459

D046482 Fourth Appellate District,
Division One

BENOIT v. S.C. (BENOIT)

Petition for review and application for stay denied

George, C.J., and Baxter, J., were absent and did not participate.

S121799

CARDONA (LUIS) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S123452

SNEED (ANTHONY) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125048

TIBBS (NEAL J.) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125553

PEREZ (RAUL) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125586

SHELTON (GERALD E.) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125695

JOHNSON (KENNETH W.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709.)

George, C.J., was absent and did not participate.

S125724

CACAU (VIOREL) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125786

GONZALES (ROLAND) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756.)

George, C.J., was absent and did not participate.

S125835

GRAHAM (ANTHONY K.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S126140

MILLIGAN (SHANDEL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Clark (1993) 5 Cal.4th 750; *In re Swain*
(1949) 34 Cal.2d 300, 304.)

George, C.J., was absent and did not participate.

S126165

KOHLER (BRAD SCOTT) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S126174

LOCHMILLER (DALE W.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S126712

PEEBLES (KEVIN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C.J., was absent and did not participate.

S126722

CATCHINGS (DENNIS D.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S126837

EDWARDS (VICENSON) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S126870

TAYLOR (MONTE KIM) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S126948

SEWARD (LAMONT) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S126970

HODGES (ODELL D.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

George, C.J., was absent and did not participate.

S126971

VILLA (CESAR FRANCISCO) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Dexter* (1979) 25 Cal.3d 921.)

George, C.J., was absent and did not participate.

S126977

BLEVINS (PAUL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

George, C.J., was absent and did not participate.

S126997

CROWDER (PAUL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061;
In re Rosenkrantz (2002) 29 Cal.4th 616.)

George, C.J., was absent and did not participate.

S127012

SWANSON (DANIEL J.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061;
In re Rosenkrantz (2002) 29 Cal.4th 616; *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

George, C.J., was absent and did not participate.

S127054

VIDALES (JAIME) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127101

MARTIN (KERRY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127115

PRATT (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127122

DANIELS (CURTIS) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Rosenkrantz* (2002) 29 Cal.4th 616.)

George, C.J., was absent and did not participate.

S127133

YORK (JAMES A.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127138

FOSTER (KENNETH) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127172

RODRIGUEZ (PETER) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127190

FRY (EDWARD GLEN) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127192

MASK (ROBERT) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238.)

George, C.J., was absent and did not participate.

S127195

THOMPSON (DEWAN LEE) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238.)

George, C.J., was absent and did not participate.

S127200

CHAMBERS (KENNY L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)\

George, C.J., was absent and did not participate.

S127203

GONZALEZ (ALEJANDRO R.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C.J., was absent and did not participate.

S127209

COLLINS (FLOYD) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127213

WILSON (JEROME PAUL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127223

LUNA (JUSTO) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127226

PERRY (PETER) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127230

SMITH (CARL) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127231

MEDINA (MARIO) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127246

MCCRAW (TRAVION A.) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127247

GONZALEZ (DAVID P.) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127248

FOSTER (ALLEN) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127249

FOSTER (ALLEN) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127251

FAHIE (ANTONIO) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127255

JACKSON (KEVIN LAMONT) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127271

GEHA (JAY WILLIAMS) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C.J., was absent and did not participate.

S127280

MENDEZ (JUAN CARLOS) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127284

GIBSON (JOAQUIN) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127286

AVINA (JOSE) ON H.C.
Petition for writ of habeas corpus denied

George, C.J. was absent and did not participate.

S127287

WILSON (DUANE) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127309

HURD (STEVEN C.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127316

ESCAMILLA (FORTINO) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127321

COWAN (ERIC J.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)

George, C.J., was absent and did not participate.

S127325

NGAVE (MOALA TOFAVAHA) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

George, C.J., was absent and did not participate.

S127347

IVERSON (LARRY M.) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238.)

George, C.J., was absent and did not participate.

S127353

GARZA (HECTOR) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain*

(1949) 34 Cal.2d 300, 304; *In re Waltreus*
(1965) 62 Cal.2d 218.)

George, C.J., was absent and did not participate.

S127360

SULLIVAN (JOSEPH M.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127369

VALADEZ (MANUEL B.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Lindley (1947) 29 Cal.2d 709; *In re Dixon*
(1953) 41 Cal.2d 756; *In re Swain* (1949) 34
Cal.2d 300, 304.)

George, C.J., was absent and did not participate.

S127389

ESCARENO (ROBERT) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127406

RHOADES (LESLIE G.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re*
Dixon (1953) 41 Cal.2d 756; *In re Swain* (1949)
34 Cal.2d 300, 304; *People v. Duvall* (1995) 9
Cal.4th 464, 474.)

George, C.J., was absent and did not participate.

S127416

SANCHEZ (ROBERTO M.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127418

SHAVER (DAVID) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127426

GOMEZ (ALFREDO) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127436

SMITH (ODELL E.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127441

CAMPOS (TARCICIO NOE) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127452

GRIFFIN (ROBERT C.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

George, C.J., was absent and did not participate.

S127453

CHAGOLLA (REYMUNDO J.) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127456

JONES (WILLIE) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127458

LAYTON (BRIAN KEITH) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127461

HAYNES (ROBERT) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127464

SIMMONS (CHARLES) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127465

HOPPER (DANIEL) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127492

WILKINS (DANIEL D.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127502

JUDD (JASON M.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C.J., was absent and did not participate.

S127515

TESSIER (JAMES JOHN) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238.)

George, C.J., was absent and did not participate.

S127522

PAGE (LARRY) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127531

PALMER (HENRY DEAN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S127533

KEENAN (RICHARD W.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127542

HARRIS (ELLIOT A.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127543

HILL (DARRYL W.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127545

DOKOVIC (RAMADAN RAY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

George, C.J., was absent and did not participate.

S127546

ADRAGNA (ANTHONY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

George, C.J., was absent and did not participate.

S127550

LOCHMILLER (DALE W.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127558

GREER (ANTONIO L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)

George, C.J., was absent and did not participate.

S127570

HOUSTON (DONALD RAY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Clark (1993) 5 Cal.4th 750; *In re Waltreus*
(1965) 62 Cal.2d 218.)

George, C.J., was absent and did not participate.

S127574

STAMPER (WILLIAM) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238.)

George, C.J., was absent and did not participate.

S127682

JAMIESON (DONNELL E.) ON H.C.
Petition for writ of habeas corpus denied

(See *Superintendent v. Hill* (1985) 472 U.S. 445
[105 S.Ct. 2768].)

George, C.J., was absent and did not participate.

S127694

JEFFRIES (ALLEN LYNN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;

In re Dayan (19991) 231 Cal.App.3d 184, 189.)

George, C.J., was absent and did not participate.

S127758

CHAMBERS (KENNY L.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127762

PULIDO (CARLOS) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

George, C.J., was absent and did not participate.

S127813

DICKERSON (LADELL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061;
In re Rosenkrantz (2002) 29 Cal.4th 616;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

George, C.J., was absent and did not participate.

S127855

SMITH (RONALD) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238.)

George, C.J., was absent and did not participate.

S127892

BJORLIN (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061;
In re Rosenkrantz (2002) 29 Cal.4th 616.)

George, C.J., was absent and did not participate.

S128012

MCCLELLAN (CHARLES) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061;
In re Rosenkrantz (2002) 29 Cal.4th 616;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

George, C.J., was absent and did not participate.

S128119

BICS (ANTHONY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061;
In re Rosenkrantz (2002) 29 Cal.4th 616.)

George, C.J., was absent and did not participate.

S128195

GALINSKI (VICTOR J.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

George, C.J., was absent and did not participate.

S128252

LUJAN (LEROY PAUL) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S128315

BUTLER (DANNIE L.) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464,
474.)

George, C.J., was absent and did not participate.

S128588

ESCARENO (ROBERT) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756.)
George, C.J., was absent and did not participate.

S129523

ESCARENO (ROBERT) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C.J., was absent and did not participate.

S129775

WILSON (JEROME T.) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238.)

George, C.J., was absent and did not participate.

S131274

SECO (LEONIDES) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S131421

BARNES (COREY) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S131422

WATTS (TIMOTHY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

George, C.J., was absent and did not participate.

S131597

SHAVER (DAVID) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S131849

ESCARENO (ROBERT) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S132260

BEASLEY (WILLIE R.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061;
In re Clark (1993) 5 Cal.4th 750; *In re Miller*
(1941) 17 Cal.2d 734)

George, C.J., was absent and did not participate.

S133661

WASHINGTON (RODERICK) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S134312

WU (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Dexter* (1979) 25 Cal.3d 921.)

George, C.J., was absent and did not participate.

S134324

NOEL (ROBERT E.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S134660

SMITH (DENNIS J.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C.J., was absent and did not participate.

S134741

SMITH (DENNIS J.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C.J., was absent and did not participate.

S134752

SMITH (DENNIS) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C.J., was absent and did not participate.

S134761

McCULLOCK (ROBERT J.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

George, C.J., was absent and did not participate.

S134763

WASHINGTON (RODERICK) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S134772

TEASLEY (ANTHONY) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S134789

ANDREWS (ANTOLIN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

George, C.J., was absent and did not participate.

S134816

CLAY (ROY) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S134867

BULETI (PETER C.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

Chin, J. , was recused and did not participate.
George, C.J., was absent and did not participate.

S134875

ALLEN (SHAWN DAPRE) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S134898

WILSON (MELVIN) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C.J., was absent and did not participate.

S134914

LYMAN (ROBERT A.) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S134932

MORGAN (VINCENT) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S134933

BRIGHT (HOWARD) ON H.C.

Petition for writ of habeas corpus denied

(See *People v. Black* (2005) 35 Cal.4th 1238.)

George, C.J., was absent and did not participate.

S135177

CAICO (JAMES V.) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S133949

D043455 Fourth Appellate District,
Division One

ROMBE CORPORATION v. ALLIED INSURANCE

Time extended to grant or deny review

to August 15, 2005

S134069

G033528 Fourth Appellate District,
Division Three

PETRIK v. FN PROJECTS

Time extended to grant or deny review

to August 15, 2005

S134099

A109456 First Appellate District,
Division One

MARTIN (EULOGIO) ON H.C.

Time extended to grant or deny review

to August 19, 2005

S134178

G035386 Fourth Appellate District,
Division Three

MOUSA (ALBERT) ON H.C.

Time extended to grant or deny review

to August 24, 2005

S134295

B180613 Second Appellate District,
Division Three

MERCK & COMPANY v. S.C. (ADAIR)

Time extended to grant or deny review

to August 23, 2005.

S035348**PEOPLE v. SMITH (ROBERT LEE)**

Order filed

Appellant's "Ex-parte Request to Review Sealed Records," filed on January 13, 2003, is granted in part and denied in part.

The motion is granted to the following extent:

The clerk is directed to unseal the following portions of the record on appeal, and to provide appellant with a copy thereof:

1. Reporter's Transcript [Jan. 16, 1992] pages 190-193;
2. Reporter's Transcript, volume XXII, pages 4837-4841;
3. Reporter's Transcript, volume XXIV, pages 5323-5329, 5408-5415;
4. Reporter's Transcript, volume XXV,

pages 5482-5484.

The clerk is further directed to provide appellant with a copy of the following portions of the record on appeal, but otherwise to maintain them under seal:

1. Reporter's Transcript, volume I, pages 5-20;
2. Clerk's Transcript, volume V, pages 1263-1275, 1370-1390, 1427-1439;
3. Clerk's Transcript, volume VI, pages 1750-1763, 1786-1974, 1976-1982, 1995-1996;
4. Clerk's Transcript, volume VII, pages 2019-2028.

On the court's own motion, the clerk is directed to provide respondent with a copy of the following portions of the record on appeal:

1. Reporter's Transcript [Jan. 16, 1992] pages 190-193;
2. Reporter's Transcript, volume XXII, pages 4837-4841;
3. Reporter's Transcript, volume XXIV, pages 5323-5329, 5408-5415;
4. Reporter's Transcript, volume XXV, pages 5482-5484.

On the court's own motion, the clerk is further directed to provide respondent with a copy of the following sealed portions of the record on appeal: Clerk's Transcript, volume VI, pages 1786-1974, 1976-1982.

Counsel for appellant and counsel for respondent are ordered not to use or disclose the contents of pages 1786-1974 and 1976-1982 of volume VI of the Clerk's Transcript, except in the appeal from the judgment of death herein and/or in any habeas corpus or executive clemency proceeding seeking relief from that judgment, and then only in papers themselves submitted under seal.

Because it appears that certain records filed under seal were mistakenly included in the normal record on appeal, the clerk of this court is directed to return to the Superior Court Clerk of Contra Costa County volumes V, VI, and VII of the Clerk's Transcripts.

The Superior Court Clerk is directed to redact the following pages from the Clerk's Transcript and retransmit the redacted volumes

to this court for filing no later than August 12, 2005:

1. Clerk's Transcript, volume V, pages 1263-1275, 1370-1390, 1427-1437;
2. Clerk's Transcript, volume VI, pages 1750-1763, 1786-1982, 1995-1996;
3. Clerk's Transcript, volume VII, pages 2019-2028.

The parties may retain their copies of volumes V through VII of the Clerk's Transcript, as long as they do not publicly disclose any information from the pages that remain sealed pursuant to this order.

The clerk of this court is directed to strike from the record sealed page 1975 of the Clerk's Transcript, volume VI, because it is unrelated to any proceeding in this matter and appears to have been mistakenly included in the appellate record.

In all other respects, appellant's motion is denied.

George, C.J., was absent and did not participate.

S060500

PEOPLE v. D'ARCY (JONATHAN D.)
Order filed

Respondent's "Motion to Unseal Transcripts & Records on Appeal," filed December 20, 2004, is granted in part and denied in part.

On the court's own motion, the clerk is directed to strike the filing of Appellant's Opening Brief, filed October 25, 2004. The brief is defective because it discloses material that is contained in a sealed record. (California Rules of Court, rule 12.5(g).) Appellant is directed to serve and file a new Appellant's Opening Brief that does not disclose sealed material on or before August 2, 2005. The August 23, 2005, due date for Respondent's brief is vacated. Respondent is directed to file a Respondent's Brief within 60 days of the filing of Appellant's Opening Brief. Appellant may file a Reply Brief within 60 days of the filing of Respondent's Brief.

On the court's own motion, the Clerk is

further directed to provide copies of the following sealed material to respondent: (1) the reporter's transcript of the in-chambers conference held on December 3, 1996, before Judge Robert R. Fitzgerald (pp. 1-10; identified as item 5 in respondent's motion); (2) sealed reports of Drs. Sheffner, Klatte, and Sharma filed on September 2, 1993 (C.T. 67A-H; identified as item 13 in respondent's motion); and (3) sealed "Court Report PC 1370" dated December 28, 1993 and "Certification of Mental Competency Section 1372 Penal Code" filed January 14, 1994 (C.T. 81A-C; identified as item 14 in respondent's motion).

The Orange County Superior Court is directed to cause the "two-page. . . inventory of sealed documentation" (see 22 R.T. 4212) to become part of an augmented clerk's transcript and to cause such transcript to be prepared, certified, and transmitted as specified in rules 35 and 35.3 of the California Rules of Court.

The Orange County Superior Court is further directed to comply with the foregoing directions on or before August 19, 2005.

In all other respects, the motion is denied.

George, C.J., was absent and did not participate.

S115318

YOUNG (ROBERT) ON H.C.

Application to file document under seal granted

Petitioner's "Motion for Leave to File Documents Under Seal (Rule 12.5)," filed on March 23, 2005, is granted.

Petitioner's "Application for Stay of Habeas Corpus Proceedings Pending Resolution of Petitioner's Postconviction Discovery Proceedings Pursuant to Penal Code Section 1054.9 and *In re Steele* (2004) 32 Cal.4th 682; Memorandum of Points and Authorities and Declaration of Counsel Filed Under Seal," filed on March 23, 2005, is denied.

George, C.J., was absent and did not participate.

